

Congress of the United States

Washington, DC 20515

March 25, 1998

**SECURE JUSTICE FOR AMERICAN
VICTIMS OF TERRORISM**

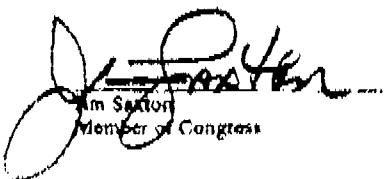
Dear Colleague:

In the five years since the Oslo Peace Process began, at least 10 Americans have been killed by Palestinian terrorists while living or vacationing in Israel. Many of these suspected terrorists are believed to be presently living in territory under the control of Yasser Arafat. Under U.S. law, the Attorney General has jurisdiction over terrorist acts committed against Americans overseas, and should therefore pursue these killers by issuing indictments and arrest warrants for their capture. *To date, not a single suspected Palestinian terrorist has been indicted in the U.S., nor have warrants been issued for their arrest.* The following letter to Attorney General Reno expresses the will of Congress that she pursue the terrorist killers of Americans overseas with the same vigor as killers of Americans here at home.

It is an unfortunate fact that American citizens make highly desirable targets for acts of terrorism worldwide. If we are to be successful in our fight against terrorism and deter future terrorists from targeting American citizens, we must, at a minimum, pursue and prosecute these criminals to the fullest extent of the law.

To co-sign the letter, please call Rick Fein in the office of Congressman Saxton (S-4765) or Glenn Hamer in the office of Congressman Matt Salmon (S-2635).

Sincerely,



Jim Saxton
Member of Congress



Matt Salmon
Member of Congress

March 25, 1998

The Honorable Janet Reno
United States Attorney General
Main Justice Building, Room 5111
10th Street & Constitution Avenue NW
Washington, DC 20530

Dear Attorney General Reno,

We are writing today to express our dismay that the U.S. Department of Justice (DOJ) has thus far failed to indict a single Palestinian terrorist believed to have participated in the murder of American citizens. There are believed to be ten Americans killed by Palestinian terrorists since the Oslo process began in 1993.¹ Many of the suspects in these murders are believed to be living freely and openly in Palestinian-controlled territory. While some are serving time in Palestinian jails, this alone should not preclude the DOJ from issuing indictments, particularly given the fact that the Palestinian judicial system has often released terrorists well before their complete sentences have been served.

Sections 2331 and 2332 of Title 18 of the U.S. Code makes it a capital offense to kill a national of the United States anywhere in the world. In passing these provisions, Congress specifically intended to extend criminal jurisdiction over acts of terrorism committed abroad. As you are no doubt aware, it is the duty of the Attorney General to investigate, indict and prosecute any individual who kills, attempts to kill, or engages in a conspiracy to kill a U.S. national in a foreign country pursuant to a terrorist act.

Unfortunately, the DOJ has shown great reluctance to fulfill their congressionally mandated duty to prosecute these killers. One example of this reluctance is the case of David Boim, an American dual-national who was killed by a terrorist while waiting for a bus near Beit-El, Israel. Boim's killer is now known to be a terrorist named Imjad Hinawi. In a letter to Boim's mother, dated November 3, 1997, James Reynolds, Chief of the Department's Terrorism and Violent Crime Division, stated that the DOJ did not have "sufficient evidence upon which to base an indictment" of Hinawi and thus was not prepared to make an extradition request. In a more recent letter dated February 20, 1998, the DOJ stated again that it did not have "sufficient evidence."

The claim that there is insufficient evidence simply does not withstand scrutiny. The Israeli

government has conclusively determined that Hinawi was a participant in the Boim attack. In fact, Hinawi reportedly confessed his role in the attack, and has subsequently been convicted by a Palestinian court. We fail to see how Hinawi's confession and his conviction can be construed as "insufficient evidence."

The DOJ should pursue those killers of American citizens abroad with the same vigor it has pursued the murderers of Americans killed in terrorist attacks here in the U.S. Americans traveling or living abroad have often been desirable targets for terrorist attacks. If we are to deter such attacks in the future, it is essential that our law enforcement agencies pursue these cases aggressively and to the fullest extent of the law. It is our view that the DOJ must investigate, Indict and prosecute these individuals without further delay.

In order for us to properly evaluate the DOJ's efforts in this regard, please review the following list of suspected and convicted terrorists and provide an update of the status of the investigation of their suspected terrorist acts. We are particularly interested in whether or not the DOJ intends to issue indictments or arrest warrants for any or all of these terrorists, and the degree of cooperation the DOJ has been receiving from the Palestinian Authority (PA) and Israel in these cases.

We look forward to hearing from you shortly.

Sincerely,

¹ The names of the 10 American victims are as follows: David Boim, Yael Botwin, Joan Davenny, Sara Duker, Matthew Eisenfeld, Alisa Flatow, Leah Stern, Yaron Unger, Nachshon Wachman, and Ira Weinstein.

SUSPECTED PALESTINIAN MURDERERS OF AMERICAN CITIZENS

NAME	CRIME	STATUS
Adel Awadallah	Suspected of making bomb which killed Leah Stern, an American citizen.	Believed living in PA-controlled territory.
Mohammed Deif	Suspected of planning kidnap/murder of Nachshon Wachman, an American citizen.	Believed living in PA-controlled territory.
Abd al-Majid Dudin	Suspected of training terrorist who planted bomb which killed Joan Davenny, an American citizen.	Believed to be working as a jailer in a PA prison.
Ibrahim Ghneim	Suspect in drive-by shooting of Yaron Unger, an American citizen.	Believed living in PA-controlled territory.
Mahmoud Abu Hanudeh	Suspected of organizing bombings in which Leah Stern and Yael Botwin, both American citizens, were killed.	Believed living in PA-controlled territory.
Imjad Hinawi	Convicted by PA of participating in murder of David Boim, an American citizen.	Believed to be in PA prison.
Nafez Sabih	Suspected of planning bus bombing in which Matthew Eisenfeld and Sara Duker, both American citizens, were killed.	Believed to be living in PA-controlled territory.
Muhammed-Din al-Sharif	Suspected of involvement in bombings in which Joan Davenny, Leah Stern, and Yael Botwin, all American citizens, were killed.	Believed to be living in PA-controlled territory.
Nabil Sharif	Suspected of helping prepare bomb which killed Alisa Flatow, an American citizen.	Briefly held by PA then released.

Co-Signers
RENO LETTER

Jim Sexton
Matt Salmon
Newt Gingrich
Henry Hyde
Ben Gilman
Gerald Solomon
Dan Burton
William Goodling
James Talent
Bill McCollum
Ileana Ros-Lehtinen
Chris Smith
Doug Bereuter
David McIntosh
Sue Kelly
Stephen Horn
Ken Calvert
John Porter
Mark Souder
Pete Sessions
Linda Smith
Charles Schumer
Tom Lantos
Robert Andrews
Michael McNulty
Randy "Duke" Cunningham
Bob Franks
Robert Menendez
Tillie Fowler
Gene Green
J. C. Watts
Jerry Weller
Michael Forbes
Jon Fox
J. D. Hayworth
Robert Ehrlich
Frank LoBiondo
Brian Bilbray
Sue Myrick
Steve Chabot
Jon Christensen
John Shadegg
Jack Metcalf
Mark Foley
Carolyn McCarthy

Brad Sherman
Michael Pappas
Bill Pascrell, Jr.
Kevin Brady
Vince Snowbarger
Chris Cannon
Robert Aderholt
Bob Schaffer
Kay Granger
Merrill Cook
Joseph Pitts
Rick Lazio
Rodney Frelinghuysen
Phil English

HERITAGE FLORIDA JEWISH NEWS, MAY 16, 1998

Congress challenges Reno's failure to indict Arab killers

NEW YORK — Sixty-two leading members of Congress, including Speaker of the House Newt Gingrich and 14 members of the House International Relations Committee, have signed a letter to Attorney General Janet Reno challenging her failure to indict Palestinian Arab killers of Americans so they can be brought to the U.S. to stand trial here.

Eleven American citizens have been murdered by Palestinian Arab terrorists in Israel or the administered territories since the signing of the Oslo accords in 1993. Five Arab terrorists identified by Israel as having taken part in the killings are living as free men in PA territory, and two are in PA custody.

The letter from the 62 members of Congress, which was initiated by U.S. Representatives Jim Saxton (R-NJ) and Matt Salmon (R-AZ), pointed out that "It is the duty of the Attorney General to investigate, indict, and prosecute any individual who kills, attempts to kill, or engages in a conspiracy to kill a U.S. national in a foreign country pursuant to a terrorist act." Despite that obligation, "the Department of Justice has shown great reluctance to fulfill their congressionally mandated duty" with regard to Palestinian Arabs who have murdered Americans abroad.

The letter pointed out that while some Clinton administration officials have claimed they do not have "sufficient evidence" to indict any of the Arab killers, Israel possesses enough evidence against four of the killers to have already indicted them, and one of the

four has reportedly confessed.

"The Department of Justice should pursue these killers of American citizens abroad with the same vigor it has pursued the murderers of Americans killed in terrorist attacks here in the U.S." the letter from the 62 congressmen continued. "If we are to deter such attacks in the future, it is essential that our law enforcement agencies pursue these cases aggressively."

The 62 signatories include Speaker of the House Newt Gingrich, Rep. Benjamin Gilman, chairman of the House International Relations Committee, as well as 13 additional members of the International Relations Committee; and Rep. Henry Hyde, chairman of the House Judiciary Committee, as well as four additional members of the Judiciary Committee.

Israeli Prime Minister Benjamin Netanyahu, in a recent letter to Congressman Salmon, wrote: "I am deeply concerned about the Palestinian refusal to transfer terrorists either to us or — when victims are American — to the U.S. That murderers are allowed to go free and live without fear of prosecution in areas ruled by the Palestinian Authority is particularly worrisome. This is not just a travesty of justice but a very wrong message to potential terrorists."

Congressmen Gilman, Saxton, and Salmon are co-sponsors, along with U.S. Representative Jon Fox (R-PA), of a congressional resolution (House Concurrent Resolution 220), urging the Clinton administration to demand that Arafat hand over Arab killers



JANET RENO

of Americans for prosecution in the United States. the Fox-Salmon-Gilman resolution is a bipartisan effort; seven of its co-sponsors are Democrats, eight are Republicans.

Morton A Klein, national president of the Zionist Organization of America (ZOA), praised the 62 congressmen who signed the letter to Janet Reno for their "courage and determination to make sure that the killers of Americans are brought to justice."

At the ZOA's urging, the Conference of Presidents of Major American Jewish Organizations recently sent President Clinton a letter urging him to press Arafat to hand over killers of Americans.

A poll sponsored by the journal *Middle East Quarterly* last year, carried out by the polling firm of John McLaughlin and Associates, asked if it was "important" that the United States demand the extradition of Palestinian Arabs suspected of killing Americans. The results: 67.2 percent said "Yes"; 15.5 percent said "No."